

REMARKS

This application has been carefully reviewed in light of the final Office Actions dated July 11, 2008, and July 15, 2004. Claims 1 to 32, 34, 37 to 54, 56, 59 to 78, 80, and 84 to 87 have been cancelled without prejudice or disclaimer of subject matter, and Claims 88 to 90 have been added. Claims 33, 35, 36, 55, 57, 58, 79, 81 to 83 and 88 to 90 are pending in the application, of which Claims 88 to 90 are in independent form. Reconsideration and further examination are respectfully requested.

Claims 1 to 4, 6, 7, 11 to 17, 24 to 26, 29 to 33, 37, 39, 41 to 45, 51 to 55, 59, 63 to 68 and 83 to 87 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,593,956 (Potts) in view of “A Statistical Approach to Scene Change Detection” (Sethi) and further in view of “Digital Document Metadata in Organizations: Roles, Analytical Approaches, and Future Research Directions” (Murphy); Claims 34 to 36 and 56 to 58 were rejected under § 103(a) over Potts, Sethi and Murphy in view of U.S. Patent No. 6,324,545 (Morag); Claims 5/1, 5/2, 8/1, 8/2, 9/1, 9/2, 10/1, 10/2, 18/16, 18/17, 19/16, 19/17, 20/16, 20/17, 21/16, 21/17, 22/16, 22/17, 23/16, 23/17, 27, 28, 38, 40, 46 to 49, 50, 60 to 62 and 69 to 79 were rejected under § 103(a) over Potts, Sethi and Murphy in view of “The ‘Grammar’ of Television and Film” (Chandler); and Claims 80 to 82 were rejected under § 103(a) over Potts, Sethi, Murphy and Chandler in view of Morag.

The substance of Claims 1, 32, and 34 has been incorporated into each of new independent Claims 88, 89 and 90, and Claims 1, 32 and 34 (and others) have been cancelled. Other claims have been changed for consistency. New Claims 88 to 90 have been drafted in consideration of the rationale for the foregoing rejections, and are believed to recite patentable subject matter as explained more fully below.

The present invention involves editing a classified sequence of images based upon an editing template. Each digital image of the sequence is classified. The classifying includes analyzing the digital image for the presence of a human face, determining a size of the located face with respect to a size of the image, and classifying the digital image according to one of at least three shot types based on the relative size of the face with respect to the image. The classification of the digital image is stored as metadata associated with the digital image. An editing template is established for the sequence. The template has edit function components each corresponding to one of the image classifications. The sequence is edited according to the template, using the classification of each image in the input sequence to form an output sequence of digital images, wherein each image in the input sequence is edited according to the editing function component corresponding to the classification of the image.

Thus, the invention involves classification of digital images based on shot type, and editing of the classified images based on an editing template.

Applicant submits that the applied art is not seen to disclose or to suggest the notion of classifying images based upon specific shot types, and editing each classified image based upon an editing template in combination with the classification of the image. More particularly, the applied art is not seen to disclose or to suggest at least establishing an editing template for a sequence of images, the template having edit function components each corresponding to one of the image classifications, and editing the sequence according to the template using the classification of each image in the input sequence to form an output sequence of digital images, wherein each image in the input sequence is edited

according to the editing function component corresponding to the classification of the image.

Potts is seen to disclose classify images either containing or not containing a face. However, Potts is believed to be silent on editing a classified image based upon an editing template in combination with the classification of the image.

Murphy is seen to disclose characterizing documents using metadata. However, Murphy is believed to be silent on editing a classified image based upon an editing template in combination with the classification of the image.

Sethi is seen to disclose that in order to perform accurate shot boundary detection, the knowledge of the shot type is essential. In addition, Sethi is seen to disclose that shot type classification necessarily depends upon the distance between the camera and the subject being recorded, eg. a person, a house, or an automobile. However, Sethi is believed to be silent on editing a classified image based upon an editing template in combination with the classification of the image. Moreover, the Office Action dated July 15, 2004 acknowledges that Sethi “does not appear to recognize using an editing template”, at page 7.

Morag is seen to disclose grouping images by type, and determining image type based on a comparison with a set of templates. See Morag, column 8, lines 3 to 8. Thus, Morag teaches using a template to classify images.

On the other hand, the present invention involves editing a classified image based upon an editing template in combination with the classification of the image.

Thus, while Morag is seen to disclose use of a template, Morag uses the template to classify images. In contrast, the invention classifies images based on shot type,

as claimed. The invention uses a template, but the template is used for editing. Morag is believed to be silent on editing a classified image based upon an editing template in combination with the classification of the image.

Therefore, Potts, Sethi, Murphy and Morag, alone or in any permissible combination, are not seen to disclose or to suggest the notion of classifying images based upon specific shot types, and editing each classified image based upon an editing template in combination with the classification of the image. More particularly, Potts, Sethi, Murphy and Morag are not seen to disclose or to suggest at least establishing an editing template for a sequence of images, the template having edit function components each corresponding to one of the image classifications, and editing the sequence according to the template using the classification of each image in the input sequence to form an output sequence of digital images, wherein each image in the input sequence is edited according to the editing function component corresponding to the classification of the image.

In view of the foregoing amendments and remarks, independent Claims 88 to 90, as well as the claims dependent therefrom, are believed to be in condition for allowance.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

CONCLUSION

No claim fees are believed due, however, should it be determined that additional claim fees are required under 37 C.F.R. 1.16 or 1.17, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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